

United States District Court

SOUTHERN

DISTRICT OF **United States Court of TEXAS**
McALLEN DIVISION Southern District of Texas

UNITED STATES OF AMERICA

v.

Rodrigo Pacheco-Santos

YOB: 1995 COB: Nathan Ochsner, Clerk of Court

Case Number:

M-22- 2087 -M

Felipe Pacheco-Santos

YOB: 1986 COB: Mexico

FILED

October 26, 2022 **CRIMINAL COMPLAINT**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about October 25, 2022 in Hidalgo County, in the
Southern District of Texas

(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact that Fatima Isabel Maldonado-Martinez and Santos Leonardo Chicas both, citizens and nationals of El Salvador, along with nine (9) other undocumented aliens, for a total of eleven (11) who had entered the United States in violation of law, conceal, harbor or shield from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit; a residence located in Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) & 1324(a)(1)(A)(V)(II)
I further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On October 25, 2022, Agents received information regarding the harboring of undocumented aliens (UDA's) at a residence in Mission, Texas, which will be referred to as "target location" (TL).

Agents initiated surveillance on the TL and observed a black in color Chevy Cruz exiting the property and head to a nearby gas station. Agents conducted a consensual encounter with the driver, who was identified as Rodrigo Pacheco-Santos, a Mexican citizen, and questioned him regarding his involvement in UDA smuggling at the TL. Rodrigo Pacheco-Santos admitted to having UDAs in his house and gave written consent to search the home. Agents who were still conducting surveillance observed a male and female leaving the TL on foot. Agents responding to the TL from the gas station, encountered the male and female. The male subject was identified as Felipe Pacheco-Santos, the brother of Rodrigo. He and the female subject both admitted to being illegally present in the United States. Felipe and the female subject were questioned as to their involvement in UDA smuggling to which they denied any knowledge.

Agents conducted a consensual search on the TL and located (10) additional subjects all claiming to be in the United States illegally.

Rodrigo, Felipe and the eleven (11) UDAs were placed under arrest and transported to the McAllen Border Patrol Station for processing.

Continued on the attached sheet and made a part of this complaint:

Yes No

Complaint authorized by AUSA Alexis Garcia

/s/ Timothy Young

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

Signature of Complainant

Timothy Young Border Patrol Agent

Printed Name of Complainant

October 26, 2022 4:24 pm

at

McAllen, Texas

Date

City and State

Nadia S. Medrano

, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22- 2087 -M

**RE: Rodrigo Pacheco-Santos
 Felipe Pacheco-Santos**

CONTINUATION:

PRINCIPAL STATEMENT 1:

Rodrigo was read his Miranda Rights. He understood and agreed to provide a sworn statement without the presence of an attorney.

Rodrigo, a citizen of Mexico, crossed illegally into the United States in August of 2022, and has been living at the TL for about one (1) month. Rodrigo stated he and his brother were paying \$600 for rent. Rodrigo indicated he knew of five (5) subjects being harbored at the TL, but denied any involvement. Rodrigo stated he never made any contact with the UDA's and added he saw UDA's getting dropped off about two (2) times.

Rodrigo identified Felipe Pacheco-Santos, through a photo lineup, as his brother.

PRINCIPAL STATEMENT 2:

Felipe was read his Miranda Rights. He understood and agreed to provide a sworn statement without the presence of an attorney.

Felipe, a citizen of Mexico, stated that he crossed illegally into the United States and has been living at the TL for one (1) month. He indicated he pays a monthly fee of \$350 for a single room with his brother, Rodrigo. Felipe added that he did not know who else lived at the property.

Felipe identified Rodrigo Pacheco-Santos, through a photo lineup, as his brother.

MATERIAL WITNESS STATEMENT 1:

Fatima Isabel Maldonado-Martinez was read her Miranda Rights. She understood and agreed to provide a sworn statement without the presence of an attorney.

Maldonado, a citizen of El Salvador, stated she crossed illegally into the United States on October 22, 2022, along with six (6) other subjects. Maldonado made the smuggling arrangements and paid \$10,000 to be smuggled further into the U.S. Maldonado stated she was picked up and transported to the TL. Maldonado also stated she was told that two (2) males oversaw the residence and would get her what she needed. Maldonado stated she got to know them by the names "Negro" and "Felipe".

Maldonado identified Rodrigo, through a photo lineup, as "Negro".

Maldonado identified Felipe, through a photo lineup, as "Felipe".

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22- 2087 -M

**RE: Rodrigo Pacheco-Santos
 Felipe Pacheco-Santos**

CONTINUATION:

MATERIAL WITNESS STATEMENT 2:

Santos Leonardo Chicas was read his Miranda Rights. He understood and agreed to provide a sworn statement without the presence of an attorney.

Chicas, a citizen of El Salvador, stated he crossed the Rio Grande River with five (5) other subjects. Chicas claimed his cousin made the smuggling arrangements and has paid \$7,500 of the \$15,000 he was charged. After crossing, Chicas was transported to the residence where he was apprehended. Chicas stated his cell phone was taken away and he was instructed when they could use their phones and what they were allowed to do inside the house.

Chicas identified Rodrigo and Felipe, through separate photo lineups, as the subjects who stayed at the house, delivered food and gave them instructions.